IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 7TH JULY 2006 / 16TH ASHADHA,1928

Bail Appl..No. 3964 of 2006

(CRIME NO. 48/2006 OF EXCISE RANGE, SULTHAN BATHERY)

PETITIONER/ACCUSED

C.V.SHIJU, S/O.VARGHESE,
CHERUVILLIL (H), BHOOTHANAM COLONY,
BHOOTHANAM (PO), PULPALLY, WAYANAD DISTRICT.

BY ADV. SRI.S.M.PRASANTH

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA, REPRESENTED
BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M. JAMES, J.

B.A.No.3964 of 2006

Dated this the 7th July, 2006.

O R D E R

The petitioner was found in illegal possession of 560 packets of Karnataka made arrack, each packet containing 100 ml. Thus totaling of 56 liters of arrack. Therefore, the Excise Range Inspector of Sulthan Bathery, seized the contraband and arrested the petitioner and registered C.R.No.48/2006 of that Excise Range, under Section 8(1) and 8(2) of the Abkari Act. The petitioner is in judicial custody. Hence this application, under section 439 cr.P.C.

2. After hearing both sides and considering the materials on record, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class-II, Sulthan Bathery.

(b). The petitioner shall report before the investigating Officer once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 18.7.2006.

(c). The petitioner shall not leave the sessions Division of Wayanadu, till the final trial and disposal of the case.

J.M.JAMES,
JUDGE

mrcs